

Stephen W. Rupp, Trustee (2824)
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**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

In re:	:	Bankruptcy No. 13-32094 RKM (Chapter 7)
JAMES ROBERT PROUT,	:	
Debtors.	:	

**MOTION TO EXTEND DEADLINE FOR FILING COMPLAINTS CONCERNING
THE DEBTOR'S DISCHARGE AND MOTION FOR TURNOVER ORDER**

The Trustee in the above-captioned case, Stephen W. Rupp, hereby requests that the Court extend the deadline for filing complaints concerning the debtor's discharge. The present deadline is January 27, 2014. The Trustee requests that the deadline be extended for three months or up to and including *April 27, 2014*. The Trustee also requests an order of the Court requiring the debtor cooperate with the Trustee and surrender and turnover books, records, documents, information and properties of the bankruptcy estate by a date certain. The Trustee requests this relief as to the Trustee and U.S. Trustee only. The Trustee requests this relief for the following reasons:

1. The First Meeting of Creditors was conducted on November 26, 2013. At that time, the Trustee learned that debtor had transferred real property to his son. The Trustee requested information concerning this transfer, including a copy of the recorded deed by which the debtor transferred the property to his son.

2. As of the date of the filing of these motions, the debtor has failed to produce copies of the recorded deed by which he transferred property to his son or has failed to address the real property otherwise.

3. Under §521 of the Bankruptcy Code, the debtor is required to cooperate with the Trustee as necessary to enable the Trustee to perform the Trustee's duties under this Title. The debtor also has the duty to surrender to the Trustee all property of the estate and any recorded information, including books, documents, records and papers relating to property or claims of the bankruptcy estate.

4. The Trustee considers all that has been requested necessary in complying with the Trustee's duties under §704 of the Bankruptcy Code, including the investigation of the debtor's financial affairs and dealings, the identification of property or claims of the bankruptcy estate, the realization of the value of property of the bankruptcy estate, and the administration of the estate. The debtor's failure to surrender, produce and turnover raises issue concerning the debtor's failure to comply with debtor's duties under §521 of the Bankruptcy Code and Rules and debtor's entitlement to a Chapter 7 discharge.

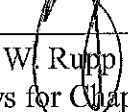
5. The extension of the deadline will provide the debtor with additional time and opportunity to fully comply with the debtor's duties and is time needed for the Trustee to continue to pursue and accomplish the Trustee's duties in this case.

WHEREFORE, the Trustee hereby requests that the deadline for filing complaints concerning debtor's discharge be extended for three months or up to and including *April 27, 2014*. The Trustee also requests an order of the Court requiring that the debtor surrender, produce and turnover to the Trustee within fifteen (15) days after the entry of a turnover order, the following:

- (a) Copy of the recorded deed by which the debtor allegedly transferred real property in Beryl, Utah to his son.
- (b) Copy of the last two recorded deeds on the Beryl, Utah property, which copy should include a legal description of the real property.
- (c) Last two years (2013, 2012) county tax assessments on the Beryl, Utah property.

DATED this 27 day of January, 2014.

McKAY, BURTON & THURMAN

By 
Stephen W. Rupp
Attorneys for Chapter 7 Trustee

CERTIFICATE OF SERVICE - BY NOTICE OF ELECTRONIC FILING (CM/ECF)

I hereby certify that on January 27, 2014, I electronically filed the foregoing *Motion to Extend Deadline For Filing Complaints Concerning the Debtor's Discharge and Motion For Turnover Order* with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

Craig Helgesen chelgesen@utahattorneys.com,
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United States Trustee USTPRegion19.SK.ECF@usdoj.gov

I hereby certify that on January 27, 2014, I caused to be served a true and correct copy of the foregoing *Motion to Extend Deadline For Filing Complaints Concerning the Debtor's Discharge and Motion For Turnover Order* as follows:

Mail Service - By regular first class United States Mail, postage fully pre-paid, addressed to:

James Robert Prout
1242 S 2000 E
Salt Lake City, UT 84108

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/s/ Karin Powell